

1 SENATE JOINT MEMORIAL 30

2 **48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008**

3 INTRODUCED BY

4 Mary Kay Papen

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10 A JOINT MEMORIAL

11 REQUESTING THE PUBLIC EDUCATION DEPARTMENT, IN COOPERATION WITH
12 THE LEGISLATIVE EDUCATION STUDY COMMITTEE AND THE OFFICE OF
13 EDUCATION ACCOUNTABILITY, TO STUDY THE NEED FOR A MORE
14 REALISTIC PERIOD OF TIME FOR A DUTY-FREE LUNCH FOR
15 INSTRUCTIONAL PERSONNEL IN PUBLIC ELEMENTARY SCHOOLS.

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17 WHEREAS, the law provides that teachers shall not be
18 required to perform noninstructional duties except in emergency
19 situations as defined by the public education department; and

20 WHEREAS, "noninstructional duties" means noon hall duty,
21 noon ground duty and noon cafeteria duty; and

22 WHEREAS, most teachers are given thirty minutes for lunch;
23 and

24 WHEREAS, in elementary schools, a teacher's own lunch
25 period does not equal thirty minutes of duty-free time because

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1 of the need for the teacher to take students to the lunchroom
2 and pick them up at the end of their lunch period; and

3 WHEREAS, in many elementary schools, the result is that a
4 teacher has fifteen minutes or less to eat lunch; and

5 WHEREAS, research has shown that rapid eating is
6 associated with a number of health concerns, such as insulin
7 resistance, high blood pressure, obesity, high cholesterol and
8 acid reflux; and

9 WHEREAS, rapid eating can also contribute to chronic
10 stress, which can ultimately create such physical symptoms as
11 chronic headaches and increased susceptibility to colds and
12 influenza; and

13 WHEREAS, being required to eat rapidly and in a stressful
14 situation on a day-to-day basis can exacerbate the stresses
15 associated with the already stressful job of teaching;

16 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
17 STATE OF NEW MEXICO that the public education department, in
18 cooperation with the legislative education study committee and
19 the office of education accountability, be requested to study
20 the feasibility of requiring a forty-five minute, duty-free
21 lunch period for all elementary instructional personnel
22 statewide; and

23 BE IT FURTHER RESOLVED that the study include an
24 examination of the health effects for teachers associated with
25 the stress of eating rapidly, as well as the effects on their

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1 teaching practice; and

2 BE IT FURTHER RESOLVED that, among the elements of the
3 study, the department seek input from teachers in school
4 districts of various sizes and locations throughout the state
5 of New Mexico on the duration and conditions of their
6 respective duty-free lunch periods; and

7 BE IT FURTHER RESOLVED that the secretary of education, in
8 cooperation with the office of education accountability, report
9 recommendations, including cost estimates, to the legislative
10 education study committee and the legislative finance committee
11 by November 2008; and

12 BE IT FURTHER RESOLVED that copies of this memorial be
13 transmitted to the secretary of public education, the office of
14 education accountability, the legislative education study
15 committee and the legislative finance committee.

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